

EXHIBIT 9



ANDREW M. CUOMO
Governor

Department
of Health

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

RECEIVED

SEP 27 2018

TOWN OF CHESTER
BUILDING DEPARTMENT
SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

August 3, 2018

VIA ELECTRONIC MAIL

Mr. Liyv Shwartz
Greens at Chester LLC
600 Route 208, Unit 302
Monroe, New York 10950

RECEIVED

SEP 26 2018

TOWN CLERK
CHESTER, NEW YORK

Re: Greens at Chester
DOH Log No. 15367
DEC WSA No. 9931
Chester (T), Orange County

Dear Mr. Shwartz:

In May 2002 the New York State Department of Health (DOH) issued an approval of plans for the construction of water supply facilities at the proposed Greens at Chester development located in the Town of Chester, New York. The proposed water supply facilities included five wells, treatment, storage, and approximately 23,000 linear feet of water main and appurtenances. The proposed project was never constructed and it is our understanding that Greens at Chester LLC, the current developer, is now looking to move forward with the project.

The approval issued by DOH in 2002 was based on the proposed water system meeting applicable regulations, design requirements and water quality standards at that time. Given the changes in regulations and design standards, along with the amount of growth that has taken place in Orange County, and in order to meet condition d of the enclosed 2002 approval, DOH will be requiring a resubmittal of the Application for Approval of Plans for Public Water Supply Improvement, including the following information:

- an updated Application for Approval of Plans for Public Water Supply Improvement form;
- updated engineering report, plans and specifications;
- results from a new, recently conducted 72-hour yield test, including monitoring of offsite wells to determine the quantity of water available from the aquifer for the proposed project and potential impacts on nearby water supply wells; and
- recent water quality testing results in accordance with Subpart 5-1 of the NYS Sanitary Code.

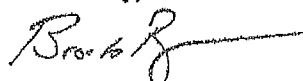
It is also advised that you contact the New York State Department of Environmental Conservation (DEC) to determine if additional information is required regarding the Water Withdrawal Permit that was issued by DEC on November 5, 2001.

In addition, please note that Greens at Chester LLC must comply with any requirements or conditions that may have resulted from the original State Environmental Quality Review (SEQR) process.

Please submit the requested information to our office and the Orange County DOH for review and approval. We will expedite the review of these materials once received.

If you have any questions or would like to discuss this project further, please contact me or Michael Montysko at (518) 402-7650.

Sincerely,



Brock Rogers, P.E.
Professional Engineer 1
Bureau of Water Supply Protection
Corning Tower, Room 1142
Empire State Plaza
Albany, NY 12237
Ph. 518-402-7650

cc: Lloyd Wilson, Ph.D., Director - DOH Bureau of Water Supply Protection
Michael Montysko, DOH
Christine Westerman, DOH - MARO
Minzi Pan, DOH - MARO
Kelly Turturro, Director - NYSDEC Region 3
Christopher Ericson, Deputy Commissioner of Health - Orange County DOH
Alex Jamieson, Supervisor - Town of Chester
John Petroccione - John Petroccione, PE